

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Services - Police Department - Disciplinary proceedings against Sri P.Nageswara Rao, formerly SDPO, Cheerla of Prakasam District (now retired) – Charges held 'Not Proved' – Further action dropped – Orders – Issued.

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HOME (SERVICES-I) DEPARTMENT

G.O.Ms.No. 94

Dated: 19/04/2010  
Read the following:-

1. From the Director General of Police, A.P. Hyderabad, Letters Rc.No.152/O2/06, dated 24.4.2006 and 29.9.2006.
2. G.O.Ms.No.273, Home (Services-I) Department, dated 3.11.2006.
3. G.O.Rt.No.1857, Home (Services-I) Department, dated 3.11.2006.
4. From Sri P.Nageswara Rao, Deputy Superintendent of Police (Retired), written statement of defense dated 7.12.2006.
5. From the General Administration (COI.VR) Department, D.O.Lr.No.1087/COI.VR/2009, dated 20.3.2010.

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O R D E R:

The Director General of Police, A.P. Hyderabad in his letter 1<sup>st</sup> read above has reported that in the judgement in Crime No.23/03 u/s 324 IPC Sec.3(1)(X) SC/ST Act of Chirala Rural PS, the Hon'ble Judge observed as hereunder:

*"Then coming to the evidence of PW 9 (DSP) though the blood stained clothes were seized, they were not sent for medical examination as admitted by PW 7 (SI). Though PW 2 ran away from the field in the zigzag way PW 9 did not observe the field to know about the crushing of crop. His investigation as stated earlier is completed from 7 am on 7.12.02 to 8.12.02 on which date the accused was arrested and produced before the Court. As seen from his deposition when PW 9 worked only upto 8.12.02, he might have been transferred or so. As stated by him in his chief examination now he is under suspension. The charge sheet was laid on 25.1.03. The wound certificate Ex.P.6 was issue on 6.1.03. So, filing of the charge sheet at a later stage with the signature of this witness also creates doubt whether he could file such charge sheet subsequent his transfer. The prosecution has not clarified this aspect also"*

*Thus, I conclude on the point that the prosecution has failed to prove its case against the accused for the offences u/s 324 IPC and u/s 3(1)(x) of SC/ST (POA) Act, 1989 beyond reasonable doubt. Therefore, the accused is entitled for acquittal.*

Sri P.Nageshwara Rao, formerly SDPO, Chirala and now retired from service on 30.4.2005 is the Investigating Officer in this case. Since Government is alone competent to deal him for the above delinquency, the Director General of Police, A.P., Hyderabad has forwarded the connected records to the Government.

**2.** After careful examination of the entire matter, Government have decided to initiate disciplinary proceedings against Sri P.Nageshwara Rao, formerly SDPO, Chirala (now retired), under rule-9 of A.P. Revised Pension Rules, 1980, keeping in view of the observations of Hon'ble Special Sessions Judge for Trial of offences under SCs & STs (PA) Act 1989 Prakasam District, Ongole in judgement dated 11.7.2005 in Sessions Case No.23/2003, that there is a lapse on the part of Investigating Officer in investigating the case properly.

**3.** In the G.O. 2<sup>nd</sup> read above, sanction was accorded for initiate disciplinary proceedings against Sri P.Nageshwara Rao, formerly SDPO, Chirala now Retired, in terms of Rule 9(2)(b)(i) of A.P. Revised Pension Rules, 1980 and an article of charge was served on him for the following delinquency vide G.O. 3<sup>rd</sup> read above:-

*"Exhibited gross neglect of duty and made perfunctory investigation in an important case of SC/ST Act vide Cr.No. 83/2002, U/s 3(i)(x) SC/ST (PA) Act 1989 and Sec.324 r/w 34 IPC of Chirala Rural P.S. and his perfunctory investigation led to the acquittal of the case in the Court of Law as well as strictures passed by the Hon'ble Court".*

**4.** In the reference 4<sup>th</sup> read above, Sri P.Nageshwara Rao, formerly SDPO, Chirala (now retired) has submitted his written statements of defence, denying the charge framed against him. Since the Charged Officer has not admitted the charge framed against him, the case was entrusted to Commissioner of Inquires, to inquire into the charges framed against the said charged officer and to submit his report to the Government.

**5.** Sri A.B.Venkateswara Rao, IPS, Commissioner of Inquiries, who was appointed as Inquiring Authority has conducted the inquiry into the charges framed against Sri P.Nageshwara Rao, formerly SDPO, Chirala (now retired) and submitted inquiry report holding the charge as 'Not Proved' against the charged officer, vide reference 5<sup>th</sup> read above.

**6.** After careful examination of the entire matter, Government have accepted the findings of the Inquiring Authority. Since the charge is held 'not proved' against the charged officer, Government hereby drop further action against Sri P.Nageswara Rao, formerly SDPO, Cheerala of Prakasam District (now retired).

**7.** The Director General of Police, A.P. Hyderabad is requested to take necessary follow up action in the matter. The records received in the reference 1<sup>st</sup> read above, are herewith returned to the Director General of Police, A.P., Hyderabad, and he is requested to acknowledge the receipt of the same.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Director General of Police, A.P., Hyderabad (w.e)  
Sri P.Nageswara Rao, formerly SDPO, Cheerala of Prakasam District (now retired)  
through Director General of Police, A.P., Hyderabad.

Copy to:  
The Accountant General of Andhra Pradesh, Hyderabad.  
The Director of Treasuries & Accounts, Hyderabad.  
SF/SC

// Forwarded :: by order //

SECTION OFFICER